Jeopardy Assessment

for the Proposed Incidental Taking Authorization
of the Blanding's Turtle and the Wood Turtle

Arrowhead-Weston Transmission Company Transmission Line Project- Spreads BC and SB
Chippewa, Rusk and Sawyer Counties, Wisconsin

Background

Blanding's turtles are state-listed as threatened species. They live throughout the state with the exception of the extreme north-central counties. They are most concentrated in the vast marshes along the Wisconsin River in Wood, Juneau, Adams, and Iowa Counties and along similar habitats associated with the Mississippi River and large confluence marshes and sedge meadows where these rivers converge. While Blanding's turtles live primarily in marshes and the shallow bays of lakes, they can be found in a wide variety of habitats including pothole wetlands, sedge meadows, slow-moving rivers and streams and some northern bogs. The Blanding's turtle is semi-aquatic and prefers open, grassy marshes containing shallow water, but will move upland from the water or wetland fringe areas to forage or bask. Blanding's Turtles may be active from March to November and breed in early spring and fall. Females begin laying eggs in June and may travel up to 1.5 miles from water to find suitable sandy, open canopy, upland nesting sites. They prefer to nest in sandy soils when these are available. They typically return to the same nesting site each year.

Wood turtles, also listed as state threatened, are found throughout northern and west-central Wisconsin. They have been documented from 45 counties. Their statewide range has changed little over time but populations appear to be depressed from historic levels. Wood turtles are active between mid-March and mid-October and tend to forage in lowland hardwoods and upland deciduous mesic to wet-mesic forests and open wet meadows and riparian grassy areas during the summer. Breeding typically occurs within or in close proximity to the water in spring and fall but can occur in any month. This species is often a communal nester and will typically lay eggs in June. Nesting areas tend to be within 200 feet of the stream, the majority of them being within 100 feet. Incubation is approximately 55-70 days, therefore, eggs hatch between August and mid-September.

Jeopardy Assessment

The American Transmission Company (ATC) has proposed the installation of a transmission line called the Arrowhead-Weston Transmission Line. This jeopardy assessment only addresses two segments of this project, spreads BC and SB located in Chippewa, Rusk and Sawyer Counties. The project will result in minimal temporary and permanent disturbance to habitat for Blanding's and wood turtles, but there is a potential for incidental take of either or both of the listed turtles. There is one site along Spread BC and eight along Spread SB where potential take of one or both turtles incidental to project activities is possible. At one of the nine sites, potential habitat is present for both species (i.e., SB-W-1 and SB-B-4 where there are two potential Blanding's turtle habitat areas). The Department has identified several minimization requirements when turtle avoidance has not been accomplished through the placement of turtle exclusion fencing by April 8, 2006. Five of the nine unfenced sites involve foraging and basking habitats for one of these two turtles and four potentially involve their nesting habitat.

The nine sites are identified in ATC's Application for Incidental Take Authorization.

Incidental take of the Blanding's and wood turtle, which is expected to be extremely low--if it occurs at all, is unlikely to impact the status or recovery potential of the affected local populations because of the required conservation measures described below. In addition, and because this species is still widely distributed across its historic range, the potential take is not expected to impact the statewide recovery potential of this species. Therefore, the Department has determined that the proposed project is not likely to jeopardize the continued existence of the state population of these turtles or the whole plant-animal community of which they are a part.

The following requirements must be implemented to minimize take of these two turtle species:

Clearing of Vegetation

At all nine sites ATC is required to hire a department-approved herpetologist who is familiar with the life histories of the wood and Blanding's turtles and who also has proven field expertise with these two species. This herpetologist must be present at each of these nine sites on all days that vegetation clearing occurs and must start removal searches just prior to the initiation of this clearing. The herpetologist must work ahead of clearing crews to move all turtles encountered out of harms way before clearing advances.

Specifically, for sites BC-W-2, SB-B-1, SB-W-3 and SB-W-7, clearing must be completed prior to June 5, 2006 to avoid the nesting season.

Turtle Exclusion Fencing Installation requirements for foraging and basking sites

At all nine sites immediately following clearing on each site (on the same day), turtle exclusion fencing is to be properly installed per Department guidance (see details below). The department-approved herpetologist must be present during all fence installation at each site until fencing is completed. Following the installation, the herpetologist must again survey within each turtle exclusion fenced area to insure that no turtles are trapped within the fenced areas.

Specifically, for sites BC-W-2, SB-B-1, SB-W-3 and SB-W-7, fencing installation must be completed before June 5, 2006 to avoid the nesting season.

Turtle Exclusion Fencing Guidance.

These measures are applicable to all nine sites.

1. Isolation fencing will be installed to a distance of 200 feet from a perennial stream,
   (a) A qualified herpetologist will be on site during fence installation.
   (b) Turtle fencing will be installed to a height no less than 16 inches and to a depth no less than 6 inches below the ground surface. In circumstances where fencing cannot be trenched below the ground surface, ATC shall contact the WDNR to determine alternative methods.
   (c) The ends of the fence will be turned back according to the attached fence layouts (see isolation fence Sample A).
   (d) The fencing will be inspected twice weekly on non-consecutive days through October 15 to ensure the integrity of the fence. Repairs will be made within 24 hours of discovery.

Maintenance of fencing must be resumed on April 1 if construction activities extend beyond that date.

2. ATC's Environmental Monitors shall monitor each site and areas within view adjacent to the ROW throughout construction activities that overlap with the turtles' active season for presence of wood and/or Blanding's turtles and evidence of turtle activity.
3. Low impact vegetation clearing methods, such as hand clearing or a track-mounted hot saw (to avoid need for skidding logs), shall be used as appropriate within suitable turtle habitat.
4. Alternative construction access routes shall be used when available.
5. Exposed sandy surface soils that are temporarily disturbed during construction shall be restored to their original condition.
6. Where landowner consent is provided, sandy topsoil or spoil material that is generated at or near any of the nine sites outside of waterways or wetlands shall be spread in a manner that creates turtle nesting habitat.
7. ATC shall document the date, names and outcome of landowner contacts for measure #5 above and provide this information to the WDNR.
8. Fencing removal must occur within 14 days of final grading and seeding.
9. Vegetation at all sites will be restored upon conclusion of construction activities, except for the areas where sand is placed per #5 above. Where sandy soil is unlikely to be eroded significantly, only light seeding will be done using native short-grasses to help maintain turtle nesting suitability.
10. ATC shall provide the WDNR with written and photo documentation of compliance with the measures described in this assessment.